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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,

Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

JOINTLY ADMINISTERED
Chapter 11 Cases

Judge Linda B. Riegle

**NOTICE OF HEARING
REGARDING USACM
LIQUIDATING TRUST'S
APPLICATION FOR ORDER TO
SHOW CAUSE WHY DR. LUCIUS
BLANCHARD SHOULD NOT BE
HELD IN CONTEMPT OF COURT**

Hearing Date: September 28, 2007
Hearing Time: 1:30 p.m.

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and through its counsel, has filed an Application for Order to Show Cause Why Dr. Lucius Blanchard Should Not Be Held in Contempt of Court (the "Application"). The Application requests that the Court enter an order to show cause why Dr. Lucius Blanchard ("Blanchard") should not be held in contempt

1 of court for non-compliance with a subpoena *duces tecum* served upon Blanchard on July 26,
2 2007, pursuant to Federal R. Bankr. P. 9016 and F.R.C.P. 45.

3 **NOTICE IS FURTHER GIVEN** that the hearing on the Application will be held before
4 the Honorable Linda B. Riegler, United States Bankruptcy Judge, in the Foley Federal Building,
5 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on **September 28, 2007**, at
6 **the hour of 1:30 p.m.**

7 **NOTICE IS FURTHER GIVEN** that, pursuant to Local Rule 9014(e)(1), any opposition
8 to the Application must be filed and service completed upon the USACM Liquidating Trust not
9 more than fifteen (15) days after service of the Application, but in no event later than five (5)
10 business days before the date set for the hearing. The opposition must set forth all relevant facts
11 and must contain a legal memorandum.

12 If you object to the relief requested in the Application, you ***must*** file a **WRITTEN**
13 response to the Application with the Court. You ***must*** also serve your written response on the
14 person who sent you this notice.

15 If you do not file a written response with the Court, or if you do not serve your written
16 response on the person who sent you this notice, then:

- 17
- 18 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
 - 19 • The Court may *rule against you* without formally calling the matter at the hearing.
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1 Dated: August 23, 2007

2 **DIAMOND MCCARTHY LLP**

3 **LEWIS AND ROCA LLP**

4 By: /s/ Eric D. Madden
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9 *Special Litigation Counsel for*
USACM Liquidating Trust

Counsel for USACM Liquidating Trust

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14 **CERTIFICATE OF SERVICE**

15 I hereby certify that I am an employee of the law firm of DIAMOND MCCARTHY LLP,
16 and that on the 23rd day of August 2007, I served a true and correct copy of the foregoing
17 NOTICE OF HEARING REGARDING THE USACM LIQUIDATING TRUST'S
18 APPLICATION FOR ORDER TO SHOW CAUSE WHY DR. LUCIUS BLANCHARD
19 SHOULD NOT BE HELD IN CONTEMPT OF COURT by electronic transmission, as noted on
20 the Service List attached hereto.

21 /s/ Catherine A. Burrow
22 Catherine A. Burrow
Legal Assistant
23 Diamond McCarthy LLP
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25
26

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